



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/218,060	12/21/1998	SLOVAK ONDREJ SUCH	777.162US1	3598

26389 7590 03/13/2002

CHRISTENSEN, O'CONNOR, JOHNSON, KINDNESS, PLLC
1420 FIFTH AVENUE
SUITE 2800
SEATTLE, WA 98101-2347

EXAMINER

ANYA, CHARLES E

ART UNIT PAPER NUMBER

2151

DATE MAILED: 03/13/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No:

09/218,060

Applicant(s)

SUCH, SLOVAK ONDREJ

Examiner

Charles E Anya

Art Unit

2151

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3/MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☐ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Specification

Regarding the references (A Recyclable Locking for Multi-Threaded Computing environments docket no. 777.154US1 and A Token-Based Object Description docket no. 777.155US1) cited, applicant is advised to amend page 12, Ln. 14 –15, page 14, Ln. 12 – 15, page 6, Ln. 5 – 7, page 17, Ln. 3 – 5 to show the application numbers.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1 – 3, 5 – 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S Pat. No. 5,392,433 to Hammersley et. al. in view of applicant's admitted prior art (Applicant's admitted prior art will henceforth be referred to as APA, page 11, Ln. 22 – 25, page 12, Ln. 1 – 20, page 13, page 25, and page 14, Ln. 1 – 7).

As to claim 1, Hammersley teaches an Asynchronous Programming environment (Asynchronous Program), a Dynamic Dispatch Scheme (See figures 2B, 3B, 3C), and an Object Recognition Scheme (Lock Table 80, Col. 4, Ln. 44 – 46). Hammersley is silent on use of dynamic object storage scheme for storing a plurality of objects.

APA teaches the use of dynamic object storage scheme for storing a plurality of objects (Dynamic Object Storage Scheme 200, page 12, Ln. 4 –10). It would have been obvious to apply the teaching of APA to the system of Hammersley. One would have been motivated to make such a modification in that a dynamic object storage scheme allows for the creation, storage and removal of objects as suggested by APA.

As to claim 2, Hammersley as applied to claim 1 above, is silent with reference to the plurality of objects being stored via the dynamic object storage scheme and being accessible utilizing a recyclable locking mechanism.

APA teaches the plurality of objects that is stored via the dynamic object storage scheme being accessible utilizing a recyclable locking mechanism (Recyclable Mechanism 204, page 12, Ln. 10 – 19). It would have been obvious to apply the system of APA to the system of Hammersley. One would have been motivated to make such a modification in that it makes the locks reusable as suggested by APA.

As to claim 3, Hammersley as applied to claim 1 above, teaches the plurality of objects as described via the recognition scheme as each comprising a series of tokens (Supports more than one type of lock per resource address, Col. 4, Ln. 55 – 64), each token relating to an attribute (Resource Address Field 91) of the object.

As to claim 5, claim 1 meets claim 5, since claim 5 is a method claim of claim 1.

As to claim 6, claim 2 meets claim 6, since claim 6 is a method claim of claim 2.

As to claim 7, claim 3 meets claim 7, since claim 7 is a method claim of claim 3.

As to claim 8, claim 4 meets claim 8, since claim 8 is a method claim of claim 4.

As to claim 9, claim 1 meets claim 9, except for a processor and a computer-readable medium.

Hammersley teaches a Processor (System Processors 12), a Computer-Readable Medium (Memory 14).

As to claim 10, claim 2 meets claim 10, since claim 10 is a computer claim of claim 2.

As to claim 11, claim 3 meets claim 11, since claim 11 is a computer claim of claim 3.

As to claim 12, claim 4 meets claim 12, since claim 12 is a computer claim of claim 4

As to claim 13, Hammersley teaches the medium to comprise a memory (Memory 14).

As to claim 14, claim 1 meets claim 14, since claim 14 is a computer-readable medium of claim 1.

As to claim 15, claim 2 meets claim 15, since claim 15 is a computer-readable of claim 2.

As to claim 16, claim 3 meets claim 16, since claim 16 is a computer-readable of claim 3.

As to claim 17, claim 4 meets claim 17, since claim 17 is a computer-readable of claim 4.

3. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 5,392,433 to Hammersley et. al. in view of APA as applied to claim 1 above, and further in view of Pullen et. al.

As to claim 4, as applied to claim 1 above, Hammersley and APA are silent as to the teaching of a dynamic dispatch scheme that provides for execution of objects based on unpacked-into-messages events.

Pullen teaches an unpacked-into-messages events (Control Messages, Col. 8, Ln. 23 - 50). It would have been obvious to apply the teaching of Pullen to the system of Hammersley and APA. One would have been motivated to make such a modification in view of the fact that control messages are useful in controlling the functionalities of a computer system.

4. Claims 18 – 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 5,392,433 to Hammersley et. al. in view of APA as applied to claim 14 above, and further in view of Berbec.

As to claim 18, as applied to claim 14 above, Hammersley and APA are silent with reference to the medium comprising a compact disc read only memory (CD-ROM). Berbec teaches a Compact Disc Read only Memory (DASD). It would have been obvious to apply the teaching of Berbec to the system of Hammersley and APA. One would have been motivated to make such a modification in that it provides for memory that cannot be written to thereby preventing memory corruption.

As to claim 19, as applied to claim 14 above, Hammersley and APA are silent with reference to the medium comprising a floppy disk.

Art Unit: 2151

Berbec teaches a Floppy Disk (DASD). It would have been obvious to apply the teaching of Berbec to the system of Hammersley and APA. One would have been motivated to make such a modification in that it provides for memory that is portable.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Pat. No. 5,485,626 to Lawlor et. al.

U.S. Pat. No. 5,414,8441 to Bingham et. al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles E Anya whose telephone number is (703) 305-3411. The examiner can normally be reached on (M – F, first Friday off) from 8:30 am to 5:30 pm.

The fax phone number for the organization where this application or proceeding is assigned is (703) 746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Application/Control Number: 09/218,060
Art Unit: 2151

Page 7

Charles E Anya
Examiner
Art Unit 2151

A handwritten signature in black ink, appearing to read "St. John Courtenay III". The signature is stylized with a large, looped initial "S" and a long, horizontal flourish at the end.

ST. JOHN COURTENAY III
PRIMARY EXAMINER